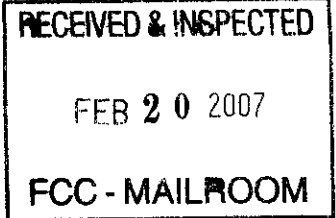


February 14, 2007

CC Docket No. 96-45

CC Docket No. 02-6



Perry Unified School Dist 343
West Bridge Street
Perry, KS 66073
Entity Number: 137595
Form 471 Application Number: 532787

Ryan Martin
eRate Solutions, LLC
P.O. Box 1426
Lawrence, KS 66044
ryanmartin@eratesolutions.com
785-840-0100 x102
Fax - 785-749-7381

Request for Review

To Whom It May Concern:

I am appealing the denial of the following FRN's: 1488254, 1488282, 1488308, 1488335, 1488379, 1488406, 1488421 and 1488438. The FRN's were all denied for "Insufficient Documentation" with the explanation "Applicant has not provided sufficient documentation to determine the eligibility of this item."

The Form 471 was filed with Item 21 Attachments on February 16, 2006. Aaron Butell was the original contact on the Form 471. During the PIA review of the form, he was sent several faxes requesting additional information, namely the number of lines or the internet speed associated with each of the Funding Requests listed above. Aaron Butell never responded to the PIA requests and the application was subsequently denied. As a result of this, Aaron Butell is no longer working with Perry USD 343 or eRate Solutions, LLC.

I am appealing this denial based on the Alaska Gateway Order. In the Order, the FCC states that "Generally, these applicants claim that staff mistakes or confusion, or circumstances beyond their control resulted in missing the FCC Form 486 deadline. We note that the primary jobs of most of the people filling out these forms include school administrators, technology coordinators and teachers, as opposed to staff dedicated to pursuing federal grants, especially in small school districts. Even when a school official becomes adept at the application process, unforeseen events or emergencies may delay filings in the event there is no other person proficient enough to complete the forms. Furthermore, some of the errors were caused by third parties or unforeseen events and therefore were not the fault of the applicants. Given that the applicants missed a USAC procedural deadline and did not violate a Commission rule, we find that the complete rejection of each of these applications is not warranted. Notably, at this time, there is no evidence of waste, fraud or abuse, misuse of

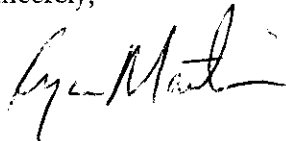
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funds, or a failure to adhere to core program requirements. Furthermore, we find that denial of funding in these cases would inflict undue hardship on the applicants.”

FRN 1488230 was approved with no additional information required by PIA. How does one FRN get approved with no additional information and eight are denied because the PIA request was not responded to?

Aaron Butell failed to meet a USAC procedural deadline by not responding to the PIA requests and did not violate any Commission rules. There was no waste, fraud or abuse/misuse of funds involved in this error. All of the Funding Requests were for eligible Schedule 1 services; telephones, internet access, and data lines. The denial of this application would put undue hardship on Perry USD 343 for the 2006 funding year and beyond. I am requesting that this application be remanded to USAC for further processing so that .

Sincerely,

A handwritten signature in black ink, appearing to read "Ryan Martin", with a stylized flourish at the end.

Ryan Martin

Phone – 785-840-0100

Fax – 785-749-7381

E-mail – ryanmartin@cratesolutions.com



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal – Funding Year 2006-2007

December 18, 2006

Aaron Butell
Perry Unified School District 343
West Bridge Street
Perry, KS 66073

Re: Applicant Name: PERRY UNIFIED SCHOOL DIST 343
Billed Entity Number: 137595
Form 471 Application Number: 532787
Funding Request Number(s): 1488189, 1488254, 1488282, 1488308, 1488335,
1488379, 1488406, 1488421, 1488438
Your Correspondence Received: October 05, 2006

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of USAC's Funding Year 2006 Funding Commitment Decision Letter for the Application Number indicated above. This letter explains the basis of USAC's decision. The date of this letter begins the 60 day time period for appealing this decision to the Federal Communications Commission (FCC). If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s): 1488189, 1488254, 1488282, 1488308, 1488335,
1488379, 1488406, 1488421, 1488438

Decision on Appeal: **Denied**

Explanation:

- Upon thorough review of the appeal letter and the relevant documentation, USAC has determined that you failed to respond to the Program Integrity Assurance (PIA) inquiries in a timely manner. PIA made initial contact with you on May 22, 2006, via fax, requesting documentation regarding number of lines documentation, within 7 days. PIA initiated a second request on July 17, 2006, via fax, requesting you to provide the same information, again within 7 days. As of August 29, 2006, you failed to provide a complete response to PIA regarding the documentation questions. In addition, on August 30, 2006, you were asked once again for information regarding the 471 application number 532787, per the Bishop Perry Order, with a follow-up fax sent on September 7, 2006, with no

response by September 19, 2006. A request was submitted and approved to fail the request for funding on September 20, 2006, based on the 7-Day Program Rule violation. Per program rules, if there is insufficient documentation to determine the eligibility of a service, the service is deemed ineligible. You have failed to provide evidence on appeal that USAC erred in its original decision.

- USAC reviews Form 471 applications and makes funding commitment decisions in compliance with FCC rules. See 47 C.F.R. sec. 54.500 et. seq. To conduct these reviews, USAC has put in place administrative measures to ensure the prompt resolution of applications. See Request for Review by Marshall County School District, Federal-State Joint Board on Universal Service, Changes to the Board of Directors of National Exchange Carrier Association, Inc., CC Docket Nos. 96-45 and 97-21, 18 FCC Red. 4520, 4522, Order, DA 03-764 para. 6 (rel. Mar. 13, 2003). (Marshall County) One such measure is that applicants are required to respond to USAC's requests for the additional information necessary to complete their application within 7 days of being contacted. Id.; SLD section of the USAC website, Reference Area, "Deadline for Information Requests," www.usac.org/sl This procedure is necessary to prevent undue delays during the application review process. See Marshall County para. 6. If applicants do not respond within this time period, USAC reviews the application based on the information before it.

If your appeal has been approved, but funding has been reduced or denied, you may appeal these decisions to either USAC or the FCC. For appeals that have been denied in full, partially approved, dismissed, or canceled, you may file an appeal with the FCC. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received or postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD section of the USAC website or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division
Universal Service Administrative Company



P.O. Box 1426 Lawrence, KS 66044

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Sdr ERATE SOLUTIONS

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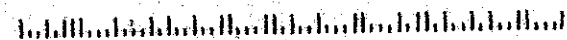


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